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19 *Attorneys for Defendant*

20 **UNITED STATES DISTRICT COURT**
21 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

22 DAVID HO, on behalf of himself and all
23 others similarly situated and on behalf of the
general public and DOES #1-20

24 Plaintiff, } Case No. C 05 04867 (JF)

25 v.
26 **ERNST & YOUNG, LLP**

27 Defendants. } **STIPULATION AND [PROPOSED]
ORDER TO FILE UNDER SEAL
OPPOSITION AND SUPPORTING
PAPERS IN OPPOSITION TO
DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT AS TO SARAH
FERNANDEZ**

28 STIPULATION AND [PROPOSED] ORDER TO FILE UNDER SEAL OPPOSITION AND SUPPORTING PAPERS IN
OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AS TO SARAH FERNANDEZ,
Case No. C 05 04867 (JF)

WHEREAS on September 13, 2006, this Court amended and signed a Stipulation Governing the Protection of the Parties Confidential Information;

WHEREAS Defendant has filed Ernst & Young's Motion For Summary Judgment As To
Sarah Fernandez;

WHEREAS on May 16, 2008, Plaintiff Sarah Fernandez timely filed an opposition and supporting papers in opposition to Ernst & Young's Motion For Summary Judgment As To Sarah Fernandez at docket numbers 143 through 150 ("Fernandez Opposition."); and

WHEREAS after the close of business on Friday, May 16, 2008, Defendant's counsel requested that the Fernandez Opposition be sealed because the opposition papers contain the names of some of Defendant's clients.

WHEREAS, Plaintiff Fernandez has no opposition to the Fernandez Opposition being sealed, and in deference to Defendant's attorneys' request to seal, Plaintiff Fernandez's attorneys caused on Monday, May 19, 2008, for the ECF Help Desk to "lock and to be re-filed" the Fernandez Opposition, so it could be re-filed under seal.

IT IS HEREBY STIPULATED by and between the parties hereto through their respective undersigned counsel that:

1. The Fernandez Opposition may be re-filed under seal, *nunc pro tunc*, May 16, 2008, and shall be deemed to have been timely filed.

Respectfully submitted,

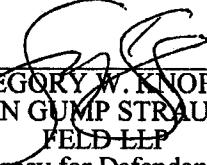
Dated: May 23, 2008

Re: [REDACTED]

Ross L. Libenson
Attorney for Plaintiffs

28 STIPULATION AND [PROPOSED] ORDER TO FILE UNDER SEAL OPPOSITION AND SUPPORTING PAPERS IN
OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AS TO SARAH FERNANDEZ,
Case No. C 05 04867 (JF)

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2 Dated: May 22, 2008
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GREGORY W. KNOOPP
AKIN GUMP STRAUSS HAUER &
FELD LLP
Attorney for Defendant

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7 ORDER
8 IT IS SO ORDERED.
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10 Dated: 5/23, 2008
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United States District Judge

28 STIPULATION AND [PROPOSED] ORDER TO FILE UNDER SEAL OPPOSITION AND SUPPORTING PAPERS IN
OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AS TO SARAH FERNANDEZ,
Case No. C 05 04867 (JF)